REMARKS

Claims 1-49 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 102(b) Rejection:

The Office Action rejected claims 1-11, 13-17, 19-21, 23-35, 37-44 and 46-49 under 35 U.S.C. § 102(b) as being anticipated by Bowman-Amuah (U.S. Patent 6,332,163) (hereinafter "Bowman"). Applicant respectfully traverses this rejection for at least the following reasons.

Regarding independent claim 1, Bowman does *not* teach a client device comprising a thin client configured to interact with the application via the network to remotely perform one or more functions of the application; wherein the system is configured to download a version of the application to the client device via the network, wherein the downloaded version of the application is configured to provide at least a portion of application logic of the application to the thin client. Claim 1 requires that the thin client use the application remotely, and also requires that a version of the same application is downloaded to the client device via the network so that at least a portion of application logic of the same application is provided to the thin client for use after the thin client has disconnected from the application on the server. This operation is clearly not described in Bowman. The Examiner first refers to Fig. 17 of Bowman. As described in Bowman at col. 70, lines 32-40, Fig. 17 merely illustrates a messaging model between a client and a server. Applicant fails to see the relevance of Fig. 17 to what is recited in claim 1. The Examiner next refers to col. 107, lines 24-38, which describes a web browser downloading the latest version of an ActiveX control. Applicant note that an ActiveX control as describes in this portion of Bowman is a component that is run locally on the client. Bowman's active ActiveX control is not an application on a server with which a thin client interacts to remotely perform one or more functions of the

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application. Also, the description at col. 107, lines 24-38 regarding an ActiveX control is completely unrelated to the messaging model of Bowman's Fig. 17.

The Examiner also refers to Bowman at col. 54, lines 22-24. However, this portion of Bowman merely refers to products such as Lotus Notes and Microsoft Exchange that allow remote users to replicate documents so that users can work disconnected from the network. Applicant notes that Lotus Notes and Microsoft Exchange are <u>by definition</u> "fat" clients, not "thin" clients. Moreover, this teaching in Bowman refers to replicating a document between a server and a client. This has absolutely nothing to do with a thin client interacting with an application via a network to remotely perform one or more functions of the application. Nor does the document replication of Bowman have anything to do with downloading a version of the application to the client device via the network. Also, the description at col. 54, lines 22-24 regarding document replication is completely unrelated to the messaging model of Bowman's Fig. 17, and is completely unrelated to the description at col. 107, lines 24-38 regarding an ActiveX control.

In the Response to Arguments, the Examiner disagrees with Applicant's assertion that Bowman's teaching at col. 54, lines 22-24 has nothing to do with a thin client interacting with an application via a network to remotely perform one or more functions of the application. However, the Examiner offers no reason for the disagreement, but instead states that the cited portion of Bowman "was not used to address such features," in apparent reference to the citation in the Final Action. The Examiner's reference in the Final Action was made to show that Bowman teaches *wherein the thin client is further configured to: disconnect from the application on the server.* Examiner apparently wishes to refer only to the disconnection from the application server, and to ignore that it is a thin client which disconnects from the application on the server. Examiner's excision of the condition that *the thin client is the agent disconnecting from the application on the server* improperly ignores the actual wording of the claim limitation. Moreover, Applicant reiterates assertions made in the previous paragraph. Examiner has made no attempt to address their substance.

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The Examiner also refers to Bowman at col. 26, lines 55-63. However, this portion of Bowman merely refers to thin-client devices such as Web TV that download and run applications from a central server. Downloading and running applications from a central server is not the same as a thin client interacting with an application via a network to remotely perform one or more functions of the application. Nor does col. 26, lines 55-63 of Bowman say anything about a portion of application logic of the application being provided to the thin client for use after the thin client has disconnected from the application on the server. Furthermore, the description at col. 26, lines 55-63 is completely unrelated to the messaging model of Bowman's Fig. 17, and is completely unrelated to the ActiveX control description at col. 107, lines 24-38, and is completely unrelated to the document replication description at col. 54, lines 22-24.

In the Response to Arguments, Examiner again refers to col. 26, lines 55-63, repeating that Bowman refers to thin-client devices that download and run applications from a central server. As Applicant stated in response to the previous Office Action, downloading and running applications from a central server is not the same as a thin client interacting with an application via a network to remotely perform one or more functions of the application. Nor does col. 26, lines 55-63 of Bowman say anything about a portion of application logic of the same application being provided to the thin client for use after the thin client has disconnected from the application on the server. Examiner has made no attempt to address the substance of Applicant's previous assertions on this topic. Applicant reiterates that Bowman's very general observations in the cited paragraph refer to the Web-enabling of various devices, such as televisions, thin-client devices, cellular phones, and the like. There is absolutely no mention of *a portion of application logic of the same application that was accessed remotely being provided to the thin client for use after the thin client has disconnected from the application on the server.*

The Examiner further asserts in the Response to Arguments that Bowman at col. 54, lines 22-24, teaches this aspect of Applicant's claim. However, as stated in

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Applicant's response to the previous Office Action, the cited passage of Bowman merely refers to products such as Lotus Notes and Microsoft Exchange that allow remote users to replicate documents so that users can work disconnected from the network. Applicant notes once more that Lotus Notes and Microsoft Exchange are by definition "fat" clients, not "thin" clients. Moreover, this teaching in Bowman refers to replicating a document between a server and a client. This has absolutely nothing to do with a thin client interacting with an application via a network to remotely perform one or more functions of the application. Nor does the document replication of Bowman have anything to do with downloading a version of the application to the client device via the network. Furthermore, nowhere in the cited passage does Bowman refer to *a portion of application logic of the application being provided to the thin client* for use after the thin client has disconnected from the application on the server.

For at least the reasons sated above, Bowman clearly cannot be said to anticipate Applicant's claim 1.

Similar argument apply in regard to independent claims 13, 19, 23, 25, 37, and 46.

Regarding dependent claim 2, contrary to the Examiner's assertion, Bowman does not teach the system as recited in claim 1, *wherein the client device is further configured to store one or more changes made to application data during said access of the downloaded version of the application.* The Examiner refers to Bowman at col. 123, lines 9-18, as teaching this aspect of Applicant's claim. However, the cited portion of Bowman only makes general observations regarding the evolution of technology to eventually allow business logic code to be downloaded at runtime or stored on a client machine. Bowman discloses that, for the present, "client side business logic is supported through the use of Java applets, JavaBeans, Plug-ins and JavaScript from Sun/Netscape and ActiveX controls and VBScript from Microsoft." There is no mention of the client device storing changes made to application data during access of a downloaded version of the application.

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Regarding dependent claim 3, contrary to the Examiner's assertion, Bowman does not teach the system as recited in claim 2, *where the thin client is further configured to reconnect to the application on the server via the network, and where the application on the server is further configured to integrate the changes made to the application data on the client device into application data on the server after the reconnection.* Examiner refers to column 257, lines 53-56. The cited portion of Bowman discusses a benefit of the View Configurer of the human-computer interface, namely the advantage of running processes in batch mode without a View. This has absolutely no bearing upon claim 3. Examiner also refers to column 54, lines 22-24. As discussed previously, this passage merely refers to **fat clients** such as Lotus Notes and Microsoft Exchange, which allow users to perform an update that automatically exchanges information on new, modified and deleted documents after reattaching to the network in order to replicate a document between server and client. This has absolutely nothing to do with *a thin client reconnecting to the application server, and the application on the server integrating changes made to the application data into application data on the server, where the changes were made on the client device using a downloaded version of the application on the thin client.* Examiner finally refers to column 25, lines 24-30. This cited paragraph of Bowman provides a general remarks on the transition to Web-based technology. It contains no mention whatsoever of the thin-client limitations recited in Applicant's claim 3. Thus, none of the three cited portions of Bowman have bearing on Applicant's claim 3.

Regarding dependent claim 4, contrary to the Examiner's assertion, Bowman does not teach the system as recited in claim 2, *where the thin client is further configured to reconnect to the application on the server via the network, and where the system further comprises a synchronization service configured to integrate the changes made to the application data on the client device into application data on the server.* Examiner refers to column 257, lines 53-56. The cited portion of Bowman discusses a benefit of the View Configurer of the human-computer interface, namely the advantage of running processes in batch mode without a View. This has absolutely no bearing upon claim 4. Examiner also refers to column 54, lines 22-24. As discussed previously, this passage merely refers

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to **fat clients** such as Lotus Notes and Microsoft Exchange, which allow users to perform an update that automatically exchanges information on new, modified and deleted documents after reattaching to the network in order to replicate a document between server and client. This has absolutely nothing to do with a _thin client_ reconnecting to the application server, and a _synchronization service_ integrating changes made to the application data into application data on the server, where the changes were made on the client using a _downloaded version of the application on the thin client_. Examiner finally refers to column 50, lines 6-15. This cited paragraph of Bowman describes replication and synchronization services to make information sources consistent with each other, such as those allowing working copies of documents to be available locally. There is no discussion whatsoever of the thin-client limitations recited in Applicant's claim 4. Thus, none of the three cited portions of Bowman bear on Applicant's claim 4.

Regarding dependent claim 5, contrary to the Examiner's assertion, Bowman does not teach the system as recited in claim 1, _where the thin client is further configured to reconnect to the application on the server via the network, and where the client device is further configured to delete the downloaded version of the application after the reconnection._ Examiner refers to column 257, lines 53-56. The cited portion of Bowman discusses a benefit of the View Configurer of the human-computer interface, namely the advantage of running processes in batch mode without a View. This has absolutely no bearing upon claim 5. Examiner also refers to column 54, lines 22-24. As discussed previously, this passage merely refers to **fat clients** such as Lotus Notes and Microsoft Exchange, which allow users to perform an update that automatically exchanges information on new, modified and deleted documents after reattaching to the network in order to replicate a document between server and client. This has absolutely nothing to do with a _thin client_ reconnecting to the application server, and the client device deleting the downloaded version of the application after the reconnection. Examiner finally asserts that Fig. 139 teaches _the client device is configured to delete the downloaded version of the application after the reconnection._ As described beginning at column 262, Figs. 138-139 depict distributed garbage collection, and the deletion shown in Fig. 139 occurs within that context. It has no bearing at all upon the _deletion of a downloaded_

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version of the application by the client device, as recited in claim 5. Thus, none of the three cited passages of Bowman bear on Applicant's claim 5.

The Examiner has referred to various disparate portions of Bowman's lengthy disclosure. The different and disparate teachings of Bowman cited by the Examiner are not described as working together in a way that performs the identical invention as recited in claim 1. Cobbling together such disparate teachings in an attempt to reconstruct Applicant's claim is improper for a rejection based on the anticipation standard. Applicant reminds the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The **identical invention must** be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

Section 103(a) Rejection:

The Office Action rejected claims 12, 22, 36 and 45 under 35 U.S.C. § 103(a) as being unpatentable over Bowman-Amuah (U.S. Patent 6,332,163) in view of Smith, et al. (U.S. Publication 2002/0065899) (hereinafter "Smith"). Applicant respectfully traverses this rejection for at least the reasons presented above in regard to Bowman.

For at least the reasons above, the rejections of claims 12, 22, 36 and 45 under 35 U.S.C. § 103(a) are clearly not supported by the cited art, and removal thereof is respectfully requested.

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CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-35800/RCK.

Respectfully submitted,

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